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PATENT

ATTORNEY DOCKET NO. 056194-5001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Charles J. LEWIS)
)
Application No.: 10/053,276)
)
Filed: January 18, 2002)
)
For: FINANCIAL DATA REPORTING)
SYSTEM WITH ALERT NOTIFICATION)
FEATURE AND FREE-FORM)
SEARCHING CAPABILITY)

OFFICE OF PETITIONS

Mail Stop DAC

Commissioner for Patents
U.S. Patent and Trademark Office
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Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

**PETITION TO REVIVE AN ABANDONED
APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Pursuant to the provisions of 37 C.F.R. § 1.137(b), Applicant hereby petitions to revive the above-referenced application which has been unintentionally abandoned for failure to respond to the Notice to File Corrected Application Papers mailed February 11, 2002. The initial due date for filing such a response was **April 11, 2002**, which is the date the application became abandoned. A Notice of Abandonment was mailed on January 21, 2004, and received on **January 23, 2004**, which is the date the Applicant first became aware of the abandonment of the application. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional by the

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Applicant, *i.e.*, Applicant at no time during that period intended that the subject matter of this application be abandoned.

The present application was filed on January 18, 2002, and is a continuation of U.S. Patent Application No. 09/250,752, filed February 16, 1999, now U.S. Patent No. 6,513,019 B2. The Official Filing Receipt and Notice to File Corrected Application Papers were mailed together on February 11, 2002, and were both received by Applicant's representative on February 14, 2002. The Official Filing Receipt was stamped received on February 11, 2002, but the Notice to File Corrected Application Papers was not separately acknowledged, nor was it entered onto the docket. The Notice to File Corrected Application Papers was inadvertently overlooked by the docketing department when it was received, attached to the Official Filing Receipt. As a result, the Applicant was not aware of the due date for responding to the Notice to File Corrected Application Papers, and moreover, was not aware of the abandoned status of the application, despite the exercise of due care and diligence, until the receipt of the Notice of Abandonment on January 23, 2004 -- at which time Applicant promptly investigated the circumstances surrounding the unintentional abandonment and began preparation of this petition.

This petition is accompanied by:

- (1) The required reply or submission under 37 C.F.R. § 1.311;
- (2) Authorization to charge the petition fee, currently \$665.00 for a small entity, as set forth in § 1.17(m), to deposit account No. 50-0310; and
- (3) The above statement that the entire delay in filing the required reply until the filing of this petition was unintentional.

It is understood that no terminal disclaimer is required with this petition, inasmuch as the application to be revived was filed after June 8, 1995.

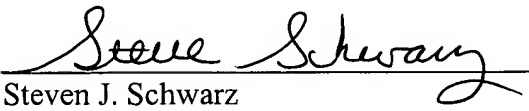
EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 24, 2004

By:


Steven J. Schwarz
Reg. No. 47,070

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